

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Administrative Law Judge H.W. Funderburk, Jr.

ALC Case No. 17-ALJ-04-0154-AP
Appellate Case No. 2017-001964

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NOV 14 2017
SC Court of Appeals

Michael Braxton, # 119081,

APPELLANT,

v.

South Carolina Department of Corrections,

RESPONDENT.

MOTION FOR EXTENSION OF TIME

The Initial Brief of Respondent and Designation of Matter are due to be served and filed today, November 13, 2017. Appellant filed his Initial Brief and Designation of Matter on October 13, 2017. Appellant attached all to his Designation of Matter all of the documents listed. He also referenced those documents extensively throughout his Initial Brief. 14 of the documents attached to Appellant's Designation of Matter and discussed in his Initial Brief were not considered by the Administrative Law Court. On October 23, 2017, Respondent filed a Motion to Strike Improper Matter asking the Court to strike these documents and any reference thereto in Appellant's Initial Brief from the appellate record. As of today's date, Respondent has not received a ruling on this motion.

Respondent is hereby requesting an extension of time in which to file this Brief and Designation until 30 days after the Court rules on Respondent's October 23, 2017 Motion to Strike. No previous extensions have been requested on behalf of Respondent. This extension request is not being made for the purpose of delay; instead, it is being made to ensure that the issues raised in this appeal are properly researched and briefed.

WHEREFORE, Respondent respectfully requests that this Court extend the deadline for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case until 30 days after the Court rules on Respondent's October 23, 2017 Motion to Strike and hold the matter in abeyance pending a ruling on this motion.

Respectfully submitted,

**SOUTH CAROLINA DEPARTMENT
OF CORRECTIONS**



ANNIE RUMLER
Staff Attorney
Office of General Counsel
S.C. Department of Corrections
Post Office Box 21787
Columbia, South Carolina 29221
(803) 896-1355

ATTORNEY FOR RESPONDENT

November 13, 2017

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ADMINISTRATIVE LAW COURT

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H.W. Funderburk, Jr., *Administrative Law Judge* NOV 14 2017

SC Court of Appeals

ALC Case No. 17-ALJ-04-0154-AP
Appellate Case No. 2017-001964

Michael Braxton, #119081.....Appellant,

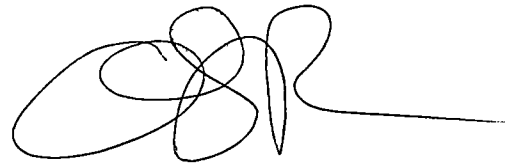
v.

South Carolina Department of Corrections.....Respondent.

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing Motion for Extension of Time by depositing a copy of same in the United States Mail, postage prepaid, on November 13, 2017, addressed as follows:

Michael Braxton, #119081
Kershaw Correctional Institution
4848 Goldmine Highway
Kershaw, SC 29067



Annie Laurie Rumler
Staff Attorney
S.C. Dept. of Corrections
P.O. Box 21787
Columbia, SC 29221-1787
(803) 896-1355

Attorney for Respondent



HENRY McMASTER, Governor
BRYAN P. STIRLING, Director

OFFICE OF GENERAL COUNSEL

November 13, 2017

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Reference: App. Case No.: 2017-001964 (*Michael Braxton, #119081*
v. South Carolina Department of Corrections)

Dear Madam Clerk:

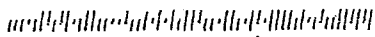
Enclosed, please find Respondent's **Motion for Extension of Time, and Proof of Service**, the original and six copies of for the same. Thank you for your attention to this matter, and please do not hesitate to contact me should you have any questions or concerns.

Sincerely,

Annie Laurie Rumler

Enclosure

cc: Michael Braxton, #119081



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The Honorable Jenny Abbott Kitchings
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